



BEFORE THE ARIZONA CORPORATION COMMISSION

JEFF HATCH-MILLER
Chairman
WILLIAM A. MUNDELL
Commissioner
MARC SPITZER
Commissioner
MIKE GLEASON
Commissioner
KRISTIN K. MAYES
Commissioner

Arizona Corporation Commission

DOCKETED

JUL 28 2006

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IN THE MATTER OF THE MERGER OF
MOUNTAIN TELECOMMUNICATIONS,
INC. AND ESCHELON TELECOM, INC.
DOCKET

DOCKET NO. T-03432A-06-0451

DECISION NO. 68866

ORDER

Open Meeting
July 25 and 26, 2006
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. Mountain Telecommunications of Arizona, Inc. ("MTI-AZ") and Eschelon Telecom, Inc. ("Eschelon") are certificated to provide telecommunications services in the State of Arizona.

2. On July 7, 2006, MTI-AZ and Eschelon filed a joint Application for Waiver of Arizona Administrative Code Rule R14-2-803 of the Public Utility Holding Companies and Affiliated Interests Rules and Joint Notice of Intent to Transfer Control.

3. The application seeks to consummate a merger agreement between the parties.

4. Staff has not completed its evaluation of the application and, therefore, recommends that the filing be suspended for a period of one hundred twenty days, up to and including November 3, 2006.

CONCLUSIONS OF LAW

1. MTI-AZ and Eschelon are Arizona public service corporations within the meaning of Article XV, Section 2, of the Arizona Constitution.

2. The Commission has jurisdiction over MTI-AZ and Eschelon and the subject matter in this filing.

3. The Commission, having reviewed the filing and Staffs Memorandum dated July 18, 2006, concludes that it is in the public interest to suspend this filing for a period of one hundred twenty days, up to and including November 3, 2006.

ORDER

IT IS THEREFORE ORDERED that this filing be and is hereby suspended up to and including November 3, 2006.


IT IS FURTHER ORDERED that this Order shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION


CHAIRMAN

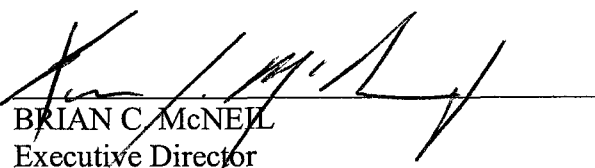

COMMISSIONER

Commissioner Spitzer resigned
effective 7-21-2006


COMMISSIONER


COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. McNEIL, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 28th day of July, 2006.


BRIAN C. McNEIL
Executive Director

DISSENT: _____

DISSENT: _____

EGJ:AFF:lhmm\MAS

1 SERVICE LIST FOR: Mountain Telecommunications, Inc. and Eschelon Telecom, Inc.
2 DOCKET NO. T-03432A-06-0451

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